



1746

**IN THE
UNITED STATES
PATENT AND TRADEMARK OFFICE**

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JAN 22 2004
TC 1700

IN RE APPLICATION OF: Kolb, et al.

CASE: OKA-991154CIP

SERIAL NO.: 09/963,800

FILED ON: September 26, 2001

FOR: ELECTROCHEMICAL CELL
HAVING A CONTROLLED
ELECTRODE SURFACE

REQUEST TO
RESTART TIME
PERIOD TO REPLY
TO OFFICE ACTION

COMMISSIONER
FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

ATTENTION OF: 1746

EXAMINER: Monique Wills

Dear Sir:

If any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 50-0545.

Applicant hereby requests that the time period to reply to the Office Action mailed December 15, 2003 be re-started as the said Office Action was not received by Applicant.

FACTOR & LAKE, LLC. 1327 W. Washington Blvd., Suite 5G/H Chicago, Illinois 60607 (312) 226-1818 Telephone (312) 226-1919 Facsimile	Jody L. Factor Jacob D. Koering	34157 51890
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BEST AVAILABLE COPY

In a routine status check of "outgoing correspondence notifications" associated with Applicant's customer number, via the secure access site of USPTO website, Applicant became aware that a Non-Final Rejection associated with the above-identified application was mailed on December 15, 2003. However, this document has not been received, and remains to be received by the Applicant.

In light of the foregoing, Applicant hereby respectfully requests the re-mailing of the Office Action bearing a new mailing date, whereby re-starting the time period for reply.

Should anything further be required, a telephone call to the undersigned, at (312) 226-1818, is respectfully invited.



Dated: January 14, 2004

Respectfully submitted,

FACTOR & LAKE, LTD.



Jody L. Factor
One of Attorneys for Applicant

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:
Commissioner for Patents, P. O. Box 1450,
Alexandria, VA 22313-1450 on January 14, 2004.

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Jody L. Factor